

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

LARRY DOUGLAS STOVALL,

Plaintiff,

v.

ED GOLLA, *et al.*,

Defendants.

Case No. C07-5072 FDB/KLS

AMENDED ORDER GRANTING
MOTION TO EXTEND TIME TO
RESPOND TO DEFENDANTS'
MOTION TO DISMISS

This civil rights action has been referred to the undersigned Magistrate Judge pursuant to Title 28 U.S.C. § 636(b)(1)(B) and Local MJR 3 and 4. Presently before the Court is Plaintiff's motion to extend the time within which to respond to Defendants' motion to dismiss. (Dkt. # 22)¹. Defendants oppose any extension because Plaintiff did not timely seek the extensions, he has not clearly identified the evidence he seeks, nor has he clarified how he intends to cure his pleadings.

However, Plaintiff states that he has sought guidance with clerks at the Stafford Creek law library regarding deficiencies in his complaint and is endeavoring to respond to the issues raised in Defendants' motion to dismiss. This Court must provide a *pro se* litigant with notice of deficiencies

¹Plaintiff filed two motions (Dkt. # 22 & 23) - the first noted for June 15th requests an extension until June 15, 2007; the second noted for June 29th requests an extension until July 9, 2007.

1 of his complaint and an opportunity to amend before dismissing a complaint for failure to state a
2 claim, unless it appears beyond doubt that the plaintiff can prove no set of facts in support of his
3 claim which would entitle him to relief. Moreover, Defendants have shown no prejudice to a short
4 continuance at this stage of the litigation.

5 Accordingly, Plaintiff's request for an extension of time to respond to Defendants' motion to
6 dismiss is **GRANTED (Dkt. # 22 & 23)**. Plaintiff's response shall be due no later than **July 23,**
7 **2007**. Defendants may file a reply no later than **July 27, 2007**. The Clerk of the Court is directed to
8 re-note Defendants' motion to dismiss on the Court's calendar for **July 27, 2007**.

9 The Clerk is directed to send copies of this order to Plaintiff and counsel for Defendants.

10 DATED this 29th day of June, 2007.

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13 Karen L. Strombom
14 United States Magistrate Judge